

June 28, 2016

A regular meeting of the Council of the Town of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:05 p.m., June 28, 2016.

Members present: Mayor Robert T. Wandrei; Councilman Tim Black; Councilman Robert D. Carson; Councilman Stacey L. Hailey; Vice Mayor Steve C. Rush; Councilman Beckham A. Stanley; and Councilman James A. Vest

Members absent: None

Staff present: Town Manager Charles P. Kolakowski; Town Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher

Mayor Wandrei opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Wandrei declared that the minutes of a Council work session held on June 14, 2016, were approved as distributed.

Mayor Wandrei declared that the minutes of regular Council meeting held on June 14, 2016, were approved as distributed.

Town Manager Kolakowski reported on the following:

- He recently met with the new general manager of Smyth Label who has recently relocated to Bedford with his family. The general manager is committed to keeping Smyth Label a vibrant and vital part of the community.
- July 2 is a Community Market Day at the Farmer's Market
- Four different buildings in the downtown area were being worked on this week.
- On June 30 the Bower Center will have its reopening ceremony at 3:00 p.m.
- The Independence Day fireworks will be held on July 3 beginning at dark and will be shot off from the D-Day Memorial.

Brian Schley, Chairman of the Design Committee for Bedford Main Street, Inc. reported on the following activities of Main Street: the "Bedford Remembers" project has been successfully completed; continuing to work on the Centertown Plaza; working on having a quarterly seminar - professionals will come to speak on things such as downtown development, code issues, etc. Mr. Schley presented awards to Nancy Owen and John Owen, Elks Lodge 2844, for work that has been done in beautifying the downtown area and to the Town for the work that was done at Centertown Plaza.

Bruce Johannessen, representing the Bower Center, invited all of the town officials to the Center on June 30 for the reopening ceremony.

Councilman Vest congratulated the Bower Center, Dr. Bower, Sara Braaten, and everyone that worked on that project as he feels it is a wonderful thing for the community.

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Vice Mayor Rush, Chairman of the Community Development Committee, said the committee met on June 27 and discussed the following items: draft tax abatement form and the application process; scheduling a meeting with members of the committee, members of the Industrial Development Authority (IDA), and the Virginia Economic Development Partnership; the status of the hotel study; and the Town Manager setting up IDA training on the new incentive programs.

Town Manager Kolakowski reported that the enterprise zone application is in the review process with the Department of Housing and Community Development.

Councilman Vest, Chairman of the Finance Committee, said the committee met earlier in the day and discussed the following: the Town is on track with the budget; the auditors will begin the audit in August; and looking at some refinancing of bonds.

Sonia Jammes, Finance Director, said the refinancing of the Electric Department Bonds is complete. She said the Town is looking to draw down some dividends on a current 2011 bond - the auditors recommended that the Town not continue to carry debt proceeds over from audit to audit. Ms. Jammes stated the Town is in the process of refreshing the Town's website to make it a more government friendly and Bedford destination friendly site. The auditors are scheduled to begin the audit on August 15.

Councilman Black, Chairman of the Electric Committee, reported the committee met on June 23 and discussed the following: speed increaser at the Snowden Hydro Plant and the potential insurance claim and the proposals for the solar facility.

The Town Manager reported that Bedford Main Street is sponsoring a Summer Cruise-in event on Saturday, July 16, 2016, from 4:00 p.m. until 8:00 p.m. and is requesting Council to authorize the closing of the following streets for the event:

E./W. Main Street from Court Street to just after the Presbyterian Church (note: this does not close Court or South Streets)

N./S. Bridge Street from Washington Street to parking lot at American National Bank

Intersection of N. Bridge Street and E. Depot Street (note: this does not close E. Depot Street, it just does not allow those traveling on it to exit at N. Bridge. They would be required to turn around and exit via Plunkett.

Town Manager Kolakowski said this plan would allow both parking lots (Farmer's Market lot and Depot Street lot) to be open and unimpeded and would allow traffic through Court Street to Goose Creek and TECAC, and South Street to Envi Salon, First Citizens Bank, Appalachian Vapors and Vista Foods. Bedford Main Street will notify the Fire Department, Rescue Squad, Public Services and Police Department of the street closings. The residents of the affected streets will also be notified and will have ingress and egress to their homes. Bedford Main Street, Inc. has current liability insurance and will provide the Town with a copy of the policy upon request.

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On motion by Councilman Hailey, seconded by Councilman Carson, voted upon and carried by a roll call vote, Council approved the request by Bedford Main Street, Inc. to close streets for a Summer Cruise-in event on Saturday, July 16, 2016, from 4:00 p.m. to 8:00 p.m. Roll call vote follows:

Councilman Black	aye
Councilman Carson	aye
Councilman Hailey	aye
Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Mayor Wandrei	aye

Town Manager Kolakowski said the Bower Center for the Arts is requesting that a small section of Bridge Street just in front of the Bower Center be closed to traffic on Thursday, June 30, 2016, to allow for festivities of their Ribbon Cutting and Grand Re-Opening Celebration to spill into the street. They are requesting closure between 2:00 p.m. and 4:00 p.m. They have checked with Azul across the street and they are all right with the closure. Mr. Kolakowski stated that the Bower Center for the Arts will notify the Fire Department, Rescue Squad, Public Services and Police Department of the street closing. Bower Center for the Arts has current liability insurance and will provide the Town with a copy of the policy upon request. Mr. Kolakowski said that Council was requested to close a small section of Bridge Street for a Ribbon Cutting and Grand Re-Opening Celebration sponsored by Bower Center for the Arts on Thursday, June 30, 2016, from 2:00 p.m. to 4:00 p.m.

On motion by Councilman Black, seconded by Councilman Hailey, voted upon and carried by a roll call vote, Council approved the request by the Bower Center to close a small section of Bridge Street for a Ribbon Cutting and Grand Re-Opening Celebration on Thursday, June 30, 2016, from 2:00 p.m. to 4:00 p.m. Roll call vote follows:

Councilman Carson	aye
Councilman Hailey	aye
Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Councilman Black	aye
Mayor Wandrei	aye

Town Manager Kolakowski said that at the Town Council meeting on May 10, 2016, Council adopted a resolution concerning the Town's contributions to the Virginia Retirement System (VRS) and a copy of that resolution was mailed to VRS. The Town was contacted by Virginia Retirement System on June 13, 2016, indicating the Town used an old version of the resolution and requested that this resolution be submitted in the new version. Mr. Kolakowski said that Council was requested to approve the resolution concerning the Town's contributions to the Virginia Retirement System.

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On motion by Vice Mayor Rush, seconded by Councilman Hailey, and voted upon and carried unanimously by a roll call vote, Council approved the resolution concerning the Town's contributions to the Virginia Retirement System. Roll call vote follows:

Councilman Hailey	aye
Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Councilman Black	aye
Councilman Carson	aye
Mayor Wandrei	aye

The resolution follows as adopted:

**RESOLUTION OF THE  
TOWN COUNCIL OF THE TOWN OF BEDFORD  
CONCERNING MEMBER CONTRIBUTIONS BY SALARY REDUCTION  
TO THE VIRGINIA RETIREMENT SYSTEM**

**WHEREAS**, the Code of Virginia § 51.1-144(F)(3) requires that, effective July 1, 2016, all employees of a political subdivision who are VRS members shall contribute five percent of their creditable compensation by salary reduction pursuant to Internal Revenue Code § 414(h) on a pre-tax basis; and

**WHEREAS**, the Code of Virginia § 51.1-144(F)(3) permitted a political subdivision to phase in the mandatory five percent member contribution until all employees paid five percent of creditable compensation effective July 1, 2016; and

**WHEREAS**, the Code of Virginia § 51.1-144(F)(3) permitted a political subdivision to pick up a portion of the member contributions only until the completion of the phase-in period on July 1, 2016; and

**WHEREAS**, the second enactment clause of Chapter 822 of the 2012 Acts of Assembly (SB 497) requires an increase in total creditable compensation, effective July 1, 2016, to each such employee in service on June 30, 2016, to offset the cost of the member contributions, equal to the percentage increase of the member contribution paid by such pursuant to this resolution;

**NOW, THEREFORE, BE IT RESOLVED**, that the **Town of Bedford** (the "Political Subdivision"), **55364**, does hereby certify to the Virginia Retirement System Board of Trustees that it shall effect the implementation of the member contribution requirements of Chapter 822 of the 2012 Acts of Assembly (SB 497), codified as Code of Virginia § 51.1-144(F)(3), for the fiscal year beginning July 1, 2016, and that Plan 1 and Plan 2 employees shall pay the full five percent member contribution by salary reduction on a pre-tax basis; and

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**BE IT FURTHER RESOLVED**, that no salary increases provided solely to offset the cost of required member contributions to the Virginia Retirement System under the second enactment clause of Chapter 822 of the 2012 Acts of Assembly will be used to certify that any salary increases required by the Appropriation Act have been provided.

**NOW, THEREFORE**, the officers are hereby authorized and directed in the name of the Political Subdivision to carry out the provisions of this resolution, and said officers are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Political Subdivision for this purpose.

The Town Manager said the Bedford County Economic Development Authority (EDA) has acquired for redevelopment certain real property and improvements located thereon situated at 510 Grove Street, Bedford, Virginia. The EDA and Town desire to have the Property rehabilitated for commercial use as a brewery, but do not possess the resources or expertise required to accomplish this task. The EDA and Town desire that Tenant rehabilitate the Property for use as a brewery (the "Rehabilitation Project") and, contemporaneous with the execution of this Agreement, the EDA is entering into a long-term lease with the Tenant for the Property. As a condition of agreeing to undertake the Rehabilitation Project, the Tenant desires that the EDA and Town provide certain services or other deliverables as described in this Agreement. The EDA and Town desire to provide the services and other deliverables described in this Agreement to facilitate the redevelopment of the Property by the Tenant. Mr. Kolakowski said that Council was requested to authorize the Town Manager to execute the Performance Agreement.

Councilman Stanley moved that Council authorize the Town Manager to execute the Performance Agreement. The motion was seconded by Councilman Hailey.

Mayor Wandrei recommended if the authorization is approved that they at least look at correcting the term "Landlord" since it refers to the IDA, the term "Landlord" not being defined in the agreement as written.

Councilman Black thanked the IDA and the Town staff for working on this project together. Mr. Black said this is a substantial rehabilitation of a very old manufacturing facility and wished all parties the best of success in their endeavor.

The motion was then voted upon and carried by the following roll call vote:

Vice Mayor Rush	aye
Councilman Stanley	aye
Councilman Vest	aye
Councilman Black	aye
Councilman Carson	aye
Councilman Hailey	aye
Mayor Wandrei	aye

May

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The Town Manager said the State is requiring the Town to formally designate a local FOIA (Freedom of Information Act) Official for the Town. The Official will be the primary point of contact for people requesting information and is responsible for responding in a timely and proper fashion. Mr. Kolakowski said that Debra Anderson has been assigned those duties for the past several years and it is recommended that she continue to do so. Council was requested to designate Debra Anderson as the FOIA Official for the Town.

On motion by Vice Mayor Rush, seconded by Councilman Hailey, voted upon and carried by a roll call vote, Council designated Debra Anderson as the FOIA Official for the Town. Roll call vote follows:

Councilman Stanley	aye
Councilman Vest	aye
Councilman Black	aye
Councilman Carson	aye
Councilman Hailey	aye
Vice Mayor Rush	aye
Mayor Wandrei	aye

Mayor Wandrei adjourned the meeting at 7:28 p.m.